

Washoe County Human Services Agency

Foster Care Licensing

Alternative Care Policy

Approved Alternative Care for Licensed Foster Parents

- A. Purpose. To provide guidance, direction, and parameters for licensed family foster homes (including licensed relative and fictive kin homes) to use prudent parenting decision making when selecting an appropriate alternative care provider when the licensed Foster Parent needs assistance in caring for a foster child. All identified respite providers are expected to adhere to the WCHSA guidelines and expectations as the caregiver would during respite.
- B. Definition. Alternative Care, also referred to as Respite, is a temporary break designed to give support to the caregiver from their caregiving duties and responsibilities to attend to personal needs or obligations and emergencies. Pursuant to NAC 424.805, respite is the temporary care:
1. Provided for a child who is placed in a family foster home;
 2. Provided by a person other than the current Foster Parent of the child; and
 3. Provides a respite for the Foster Parent of the child from the stresses and responsibilities that result from the daily care of the child.

Reasonable and Prudent Parent: The standard characterized by careful, nurturing and sensible parental decisions that maintain the health, safety, and best interests of a child, while at the same time encouraging the emotional and developmental growth of the child, that a nurturing caregiver shall use when determining whether to allow a child under the custody of an agency that provides child welfare services to participate in extracurricular, enrichment, cultural, and social activities.

- C. Responsibilities of Licensed Foster Parent. The responsibilities of licensed Foster Parents in selecting an alternative care provider include:
1. Ensuring that the needs of the child are met and that the child is in a safe environment at all times;
 2. Selecting an alternative care provider that best fits the needs of each child and situation; and
 3. Selecting an alternative care provider that has the ability and training to meet the special needs and medical needs of the child.

Note: Whenever possible, the Foster Parent should use an alternative care provider that the child knows.

- D. Supervision of Foster Children and Responsibilities of Respite Caregiver. The alternative care provider must meet the requirements for supervising the child, considering their unique special needs, as set forth in NAC 424.505:
1. Minors shall not supervise foster children unless approved by the child's case worker.
 2. Foster children must be given supervision appropriate to their age and maturity.

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3. Foster children shall not supervise or baby-sit other children unless approved by the foster child's case worker.
4. Children shall always be supervised by an adult when in or around a pool or other water hazards.

E. Categories and Requirements for Alternative Care Providers

1. Babysitter. A babysitter is a mature, responsible person who provides occasional, short-term care (not to exceed six hours or be overnight) for a foster child in the home of the licensed Foster Parent. Selection of a babysitter must take into consideration the number and ages of children to be supervised, the length of time, special needs of the children and the skills of the babysitter to address the identified needs. The following provides further direction:

- a. A babysitter must be at least 16 years of age. The Foster Parent must obtain permission from the child's case worker to use a babysitter under the age of 18.
- b. A babysitter under 18 years of age may not transport foster children. Babysitters age 18 and over must meet the Washoe County Human Services Agency' (WCHSA) minimum requirements for insurance coverage prior to transporting any foster child.
- c. Any babysitter, regardless of age, must be physically capable of taking care of and protecting the children, be capable of making sound decisions and able to recognize and avoid danger for the child. And
- d. The licensed Foster Parent must leave the babysitter an emergency phone number where he or she may be reached.

2. Direct Care Staff. A direct care staff is an alternative care provider who provides care to foster children in the home of the licensed Foster Parent. The difference between a babysitter and a direct care staff provider is that a direct care staff provider cares for the foster child on a routine basis for more than six hours or overnight.

All applicants must complete a background check that includes an annual Child Abuse and Neglect System (CANS) check. In addition to the following requirements, it is recommended that the direct care staff applicant complete Cardio Pulmonary Resuscitation (CPR) training as well as four hours of advanced training annually. In order to obtain initial approval, the direct care staff provider must:

- a. Be at least 18 years of age.
- b. Complete a Direct Care Staff Application Packet.

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- c. Complete a criminal background check or obtain a valid childcare work permit card.
 - d. Provide five positive references.
 - e. Provide copies of negative TB skin test or chest X-ray results per NAC 424.167(2).
 - f. Complete six hours of training specific to child development and discipline (Child Care Licensing Training may be approved by WCHSA) and the required LGBTQ training for Foster Parents. Alternative-learning methods may be approved or the training waived by WCHSA on a case-by-case basis due to extenuating circumstances. And
 - g. Provide WCHSA with a Department of Motor Vehicles (DMV) background printout if the direct care staff provider will transport foster children in the licensed Foster Parent's vehicle. If the direct care staff provider will use his or her own vehicle to transport foster children, then WCHSA's insurance requirements must be met and proof of insurance provided.
3. Respite Care Provider. A respite care provider or alternative care provider is a person who may provide care in his or her own home as well as in the family foster home where the child resides. The respite care provider must meet all the requirements listed under the "Direct care staff provider" section or be a licensed childcare provider or child care facility staff as outlined further in this policy in sections #5 and #6. However, only the person providing the alternative care must complete the training requirements. The following are requirements to provide care in the respite care provider's home:
- a. Pass a yearly home safety inspection (for licensed day care providers the annual home inspection meets this requirement).
 - b. Provide written proof of Personal Liability Insurance with a minimum limit of \$100,000. This may be satisfied with a Homeowner, Condominium Owners, or Renters insurance policy, or any policy providing similar coverage.
 - c. Complete background clearances on all members of the household 18 years of age or older. And
 - d. Provide proof that the provider and each member of the household over the age of 18 are free from active tuberculosis.

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4. Licensed Foster Parent. A licensed Foster Parent may provide babysitting, alternative care and direct care staff care to other foster children outside of his or her home. The foster care licensing case worker must be consulted about issues concerning compliance with the license e.g., capacity limits, sleeping arrangements, etc. For assistance in locating a licensed Foster Parent for respite services email HSA-RespiteRequests@washoecounty.gov.

The following are restrictions on licensed Foster Parents' care:

- a. A licensed Foster Parent may provide alternative care for a maximum of four children and a maximum of fourteen consecutive days unless otherwise approved by WCHSA;
 - b. A Foster Parent must receive the approval of the licensing case worker if the care is to be overnight and causes the number of children on the license to exceed limits. (The licensing case worker will designate the number of children allowed on a case-by-case basis); and
 - c. A licensed relative foster caregiver may not provide direct care staff or respite care for other foster children without the permission of the licensing case worker.
5. Licensed Child Care Providers. Licensed childcare provider may provide babysitting, respite care and direct care staff care to other foster children not residing in his or her home. If transporting foster children, then WCHSA's insurance requirements for contract foster homes must be met and proof of insurance provided.
 6. Child Care Facility Staff. May provide care in the home of the licensed Foster Parent. Childcare staff may also provide respite care in their own home if they pass a yearly home safety inspection and provide written proof of Personal Liability Insurance with a minimum limit of \$100,000. This may be satisfied with a Homeowner, Condominium Owners, or Renters insurance policy, or any policy providing similar coverage. If transporting foster children, then WCHSA's insurance requirements for contract foster homes must be met and proof of insurance provided.

- F. Payment. The respite program may be utilized when funds are available. WCHSA will notify foster families at the beginning of each fiscal year when this service is available.

1. Foster Families are eligible for **14** days of respite per fiscal year as defined in this policy. More days may be authorized if funding allows. Families are allowed to use funding to select and pay an approved respite providers as listed above in the Categories and

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Requirements for Alternative Care Providers section.

2. Types of paid respite include:
 - a. **Inclusive Respite:** This Policy outlines the option to receive respite payments to offset costs associated with taking the whole family, *inclusive of the foster children*, on a family vacation.
 - b. **Paid Alternative Care:** This Policy outlines the option for foster families to use funding to select and *pay an alternate licensed Foster Parent directly*.
 - c. **Other Approved Alternative Care Providers:** This Policy outlines the option for foster families to use other approved caregivers to provide respite, including cleared direct care staff, babysitters, and licensed childcare staff. These provider types are *eligible* for alternative care reimbursement.
 - d. **Recreational Program:** Foster families may request the use of respite funding for camps or recreational programs for foster children. The child's attendance in the camp or program must promote caregiver wellbeing and/or placement stability and is not to be used as a means for childcare.
 - e. **Normalcy Babysitting:** Foster families may submit for reimbursement for normalcy babysitting. Submission of a receipt signed by the foster parent and the babysitter indicating the children's names, date of babysitting, and total dollar amount paid to the babysitter is required. Babysitting is considered occasional and short-term and cannot be utilized as childcare for regularly recurring activities.
3. Respite can be approved in the following special circumstances:
 - a. Additional days may be approved to include but not limited to extenuating circumstances, training and court attendance, and other volunteer needs determined by the Department. Approval of excess days will require Coordinator/Division Director approval and will not count against the provider's **14** days.
 - b. Foster children in Washoe County placed on an ICPC are not in the custody of WCHSA, they are in the custody of another child welfare agency. Foster Parents licensed through WCHSA for an ICPC foster placement may utilize funds to take the children on a family vacation, but not to place the children in alternate respite care.
 - c. Biological families working informally with WCHSA and considered high risk for their children entering foster care may utilize paid alternative care on a case-by-case basis with Coordinator/Division Director approval.
 - d. Respite at Kids Kottage can only be approved on a case-by-case basis due to special circumstances that require Coordinator/Division Director approval. Respite days at KK

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will be billed to the paid alternative care program.

4. **Prior approval.** The WCHSA Paid Alternative Care Request Form must be submitted no later than one week in advance of when alternative care will be used. This allows WCHSA to ensure that the selected care provider is in good standing and can accommodate the number of children requesting alternative care services during the dates requested.
5. Providers must use an approved alternate care provider (via Child's Social Worker and/or Foster Parents' Licensing Worker) in accordance with this policy to provide the care unless using the funds towards a family vacation inclusive of the foster children. Enhanced/SFC+ Providers are required to utilize the same level of provider (SFC+ to use SFC+ licensed provider).
6. Paid alternative care days can be taken in any increment up to 14 consecutive days. Additional consecutive days may be approved on a case-by-case basis. WCHSA will track number of days used, so contact the agency to check your remaining balance.
7. The Foster Parent requesting respite must work with the Respite Care Provider and the child's assigned Caseworker to ensure a smooth transition between homes for the child. Respite must be coordinated to ensure the child's medical, dental, and therapeutic appointments, as well as visitation and school transportation have been arranged and covered. Additionally, the Foster Parent requesting respite must inform the respite provider of the unique needs and behaviors of each child and supervision requirements to ensure child safety and well-being.
8. **Reimbursement.** Effective January 1, 2021, WCHSA is required to issue 1099 tax forms to all caregivers who are paid \$600 or more in respite earnings, as respite is considered a taxable event by the IRS. If your total respite earnings are less than \$600, a 1099 will not be issued. There are different categories of respite that may or may not qualify as taxable. This is noted below in each type of paid alternate care.
 - a. **Inclusive Respite:** This Policy outlines the option to receive respite payments to offset costs associated with taking the whole family, *inclusive of the foster children*, on a family vacation. These payments are paid directly to the Foster Parent with whom the foster child resides. Issuing respite funds as an *inclusion* is not a taxable event and therefore a 1099 tax form will not be issued. The inclusive respite reimbursement rate is

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\$40 per day per child.

- b. **Paid Alternative Care:** This Policy outlines the option for foster families to use funding to select and *pay an alternate licensed Foster Parent directly*. When an alternate caregiver is used to provide respite for a foster child, the respite payment is made directly to that alternate caregiver and is considered a taxable event, as it meets the IRS's definition of respite earnings. Therefore, a 1099 tax form will be issued to the alternate caregiver if their respite earnings for the calendar year total \$600 or more. A one-time completed W-9 must be submitted to HSA-RespiteRequests@washoecounty.gov to receive payment. For a two-parent licensed foster home only one parent is required to submit a W-9, and will be the taxed individual. Upon WCHSA confirming that alternative care was provided, all alternative care respite providers will be paid at a rate of \$40 per day per child with the exception of children placed in Specialized Foster Homes.
- c. **Other Approved Alternative Care Providers:** This Policy outlines the option for foster families to use other approved caregivers to provide respite, including cleared direct care staff, babysitters, and licensed childcare staff. These provider types are *eligible* for alternative care reimbursement. Providers must submit a copy of their identification, a completed Alternative Care Acknowledgement letter, and a completed W-9 to HSA-RespiteRequests@washoecounty.gov to receive payment. Upon WCHSA confirming that alternative care was provided and the aforementioned documents are on file, all alternative care providers will be paid at a rate of \$40 per day per child. This payment is considered a taxable event by the IRS and providers will be issued a 1099 form if paid \$600 or more in a calendar year.
9. Paid alternative care days not taken are not carried over and will be forfeited.
10. For all alternative care outside of this program that is arranged by the Foster Parent, the Foster Parent seeking alternate care for the children in his or her home is responsible for paying for the cost of care.
11. Unless approved by WCHSA, the caregiver receiving respite may be responsible for any financial obligations incurred that is arranged by the caregiver outside of this program.
12. Licensed foster parents are welcome to provide an exchange of respite services in lieu of monetary payment as agreed upon by the parties and approved by the child's assigned Caseworker. Coordination of services as described above is required.
13. **Tax Information.** Regarding Foster Parents claiming foster children as dependents on tax returns and/or claiming the Child Tax Credit, WCHSA cannot make any determinations, provide guidance, or intervene in any matters related to the application of the IRS Code.

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WCHSA is also unable to guarantee any reimbursements, reductions, or credits related to IRS transactions and cannot intervene on behalf of any party on matters related to the child in care and the IRS. WCHSA encourages you to consult your tax advisor of the IRS on these issues.